

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DIANA L. CATERALL,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
the Social Security Administration,

Defendant.

CASE NO. 12-cv-05224 JRC

ORDER ON AGREED STIPULATED
MOTION FOR EQUAL ACCESS TO
JUSTICE ACT FEES, COSTS AND
EXPENSES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13. (See also Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, ECF No. 5; Consent to Proceed Before a United States Magistrate Judge, ECF No. 8). This matter is before the Court on the plaintiff's Agreed Stipulated Motion for EAJA Fees, Costs and Expenses (see ECF No. 17).

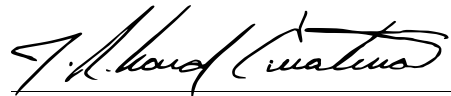
Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (hereinafter "EAJA"); 28 U.S.C. § 1920; Plaintiff's Petition for Award of Attorney's Fees, Costs & Expenses Pursuant to the Equal Access to Justice Act 28 USC §§ 2412 & 1920, & Supporting Affidavit (ECF No. 17-

1) and the stipulation of the parties (see ECF No. 17), it is hereby ORDERED that EAJA attorney's fees of \$4,553.78, costs of \$33.90 (copies) and expenses of \$20.88 (service by certified mail) for a total of \$4,608.56 shall be awarded to plaintiff pursuant to the EAJA and consistent with Astrue v. Ratliff, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at ***6-***7 (2010).

Defendant agrees to contact the Department of Treasury after the Order for EAJA fees, costs and expenses is entered in order to determine whether or not the EAJA fees, costs and expenses award is subject to any offset. If it is determined that plaintiff's EAJA fees are not subject to any offset allowed under the Department of the Treasury's Offset Program, then defendant agrees to consider the matter of plaintiff's assignment of the EAJA award to plaintiff's attorney.

The check for EAJA fees, costs and expenses, or any applicable remainder following any offset allowed, shall be made payable to Rosemary B. Schurman, Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney. Any check for EAJA fees, costs and expenses shall be mailed to plaintiff's counsel, Rosemary B. Schurman, Esq., at 8123 NE 115 Way, Kirkland, Washington 98034.

Dated this 12th day of July, 2012.



J. Richard Creatura
United States Magistrate Judge